

EXHIBIT 109

**DECLARATION UNDER PENALTY OF PERJURY
PURSUANT TO 28 U.S.C. § 1746
AND/OR
SWORN STATEMENT IN ACCORDANCE WITH GEORGIA LAW**

1. My name is Noell Barnidge. I am over eighteen years of age and competent to testify to the matters contained herein.
2. I am a resident of Chatham County in Georgia, and my residence address is
[REDACTED], Pooler, GA 31322.
3. I have reviewed the list below and I believe that my situation most closely fits into the category that I have checked:
 - a. I requested an absentee ballot but I never received it.
 - b. I received an absentee ballot and returned it but my ballot was rejected.
 - c. I received an absentee ballot and returned it but my ballot was not accepted.
 - d. I was not permitted to vote using a voting machine (a DRE) (circumstances below) and was not offered a provisional ballot even though I reside in the county in which the precinct was located where I tried to vote.
 - e. I was not permitted to vote using a voting machine (a DRE) (circumstances below) because I was told I was not a resident of the

county in which I was attempting to vote despite the fact that I had changed my address in a timely manner.

f. _____ I was not permitted to vote using a voting machine (a DRE) (circumstances below). I asked for a provisional ballot but was told that it was too early in the day for provisional ballots or that there were not enough provisional ballots or that no provisional ballots remained.

g. _____ I moved counties but did not change my registration address. When I attempted to vote in my new county, the poll workers told me to return to my old county in order to vote.

h. _____ There were long lines at my polling location and I saw people leaving without voting.

i. x _____ There were long lines at my polling location and I had to leave without being able to cast my vote.

j. _____ There were problems with the voting machines at the precinct at which I voted or attempted to vote.

k. _____ Other – please explain - _____

4. My individual circumstances are the following:

I went to vote at 5pm on election day. My polling place was Rothwell Baptist Church. There was a sign supporting Brian Kemp in yard of the church. I asked an officer how long it was going to take, and an officer told me if I was about 20 yards ahead in line, it would have taken me 3 hours and 15 minutes. I had my six-year-old daughter with me, and she had not eaten dinner yet. I could not stay over three hours to vote with my daughter, so I had to leave. I was not able to vote. I do not know why the line was so long.

5. I give this Declaration and/or Affidavit freely, without coercion, and without any expectation of compensation or other reward.
6. I understand that in giving this Declaration and/or Affidavit, that I am not represented by a lawyer. Nor has any lawyer asked me to be their client or to serve in anyway as anything other than a witness in this litigation.
7. I declare under penalty of perjury that the foregoing is true and correct.

Further affiant sayeth not, this the 14 day of November, 2018.



Shell Barnitz
Signature

Sworn to and subscribed before me
This the 14th day of November, 2018.



Notary Public

